OFFE 403

fw

| TRANSMITTAL FORM | | | Application No. | 10/573,191 |
|--|--|---|---|--|
| IRANSIV | HIALF | ORIVI | Filing Date | March 21, 2006 |
| (to be used for all corr | respondence aft | ter initial filing) | First Named Inventor | Yusuke SAKAI |
| | | | Art Unit | Not yet assigned |
| | | | Examiner Name | Not yet assigned |
| Total Number of Pages in This Submission 23 | | on 23 | Attorney Docket Number | 7623P003 |
| | ENCLO | SURES (ched | ck all that apply) | |
| Fee Transmittal Form | 1 | Drawing(s) |) | After Allowance Communication to TC |
| Fee Attached | | Licensing-r | elated Papers | Appeal Communication to Board of Appeals and Interferences |
| Amendment / Respon | se | Petition | | Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| After Final Affidavits/decla | aration(s) | Petition to C Provisional | Convert a Application | Proprietary Information |
| Extension of Time Re | quest | Power of A Change of | ttorney, Revocation Correspondence Address | Status Letter |
| Express Abandonmen | t Request | Terminal D | Disclaimer | Other Enclosure(s) (please identify below): |
| Information Disclosure Statement | | Request for Refund | | Copy of PCT Search Report (2 pages) |
| PTO/SB/08 Certified Copy of Prio | rity | CD, Number | | Copies of 13 cited references Return receipt postcard |
| Certified Copy of Prio | | Landso | cape Table on CD | |
| Response to Missing Incomplete Application | | Remarks | | |
| Basic Filin Declaration | - | | _ | , |
| Response to M Parts under 37 1.52 or 1.53 | | | | ·:! |
| | SIGNATUR | OF APPLICAN | NT, ATTORNEY, OR AC | GENT |
| Firm V | Villiam Thoma | as Babbitt, Re | g. No. 39,591 | |
| or Individual name BLAKELY, SOKOLOFP, | | | - | MAN LLP |
| Signature / Milliam // | | | Sallet | |
| Date 6/28/06 | | | | |
| | CERTIFI | CATE OF MAIL | ING/TRANSMISSION | |
| I hereby certify that this corre postage as first class mail in VA 22313-1450. | espondence is being an envelope addre | g deposited with the essed to: Mail Stop | e United States Postal Serv Amendment, Commissione | ice on the date shown below with sufficient or for Patents, P.O. Box 1450, Alexandria, |
| Typed or printed name | Suzanne/Joh | nston | | |
| Signature | 1/6 | (/ | | Date 0/29/06 |

| JUI 0 3 2006 P | | | | | | |
|--|--|--|--|--|--|--|
| TRANSMITTAL | Complete if Known | | | | | |
| THE THE PART OF TH | Application Number 10/573,191 | | | | | |
| for FY 2005 | Filing Date March 21, 2006 | | | | | |
| Patent fees are subject to annual revision. | First Named Inventor Yusuke SAKAI | | | | | |
| Applicant claims small entity status. See 37 CFR 1.27. | Examiner Name Not yet assigned | | | | | |
| TOTAL AMOUNT OF PAYMENT (\$) 0.00 | Art Unit Not yet assigned Attorney Docket No. 7623P003 | | | | | |
| (+) | Allomey booker No. 7623P003 | | | | | |
| METHOD OF PAYMENT (check all that apply) | | | | | | |
| ☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): | | | | | | |
| Deposit Account Deposit Account Number: 02-2666 | Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP | | | | | |
| For the above-identified deposit account, the Director is ☐ Charge fee(s) indicated below Charge any additional fee(s) or underpayment of fee under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. | Charge fee(s) indicated below, except for the filing fee | | | | | |
| FEE CALCULATION | | | | | | |
| 1. EXTRA CLAIM FEES Claims Fee from below Fee Paid | **or number previously paid, if greater, For Reissues, see below | | | | | |
| Code (\$) Code (\$) Fee Description | Fee Paid | | | | | |
| 1051 130 2051 65 Surcharge - late filing fee or oath | | | | | | |
| 1062 50 2062 25 Surcharge - late provisional filing fee or cover shee 2063 130 2063 130 Non-English specification | er | | | | | |
| 1251 120 2251 60 Extension for reply within first month | | | | | | |
| 1252 450 2252 225 Extension for reply within second month 1253 1,020 2253 510 Extension for reply within third month | | | | | | |
| 1254 1,590 2254 795 Extension for reply within fourth month | | | | | | |
| 1255 2,160 2255 1,080 Extension for reply within fifth month 1401 500 2401 250 Notice of Appeal | | | | | | |
| 1402 500 2402 250 Filing a brief in support of an appeal | | | | | | |
| 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding | <u>├</u> | | | | | |
| 1460 130 2460 130 Petitions to the Commissioner | | | | | | |
| 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1806 180 1806 180 Submission of Information Disclosure Stmt | <u> </u> | | | | | |
| 1809 790 1809 395 Filing a submission after final rejection (37 CFR § | · · · | | | | | |
| 1810 790 2810 395 For each additional invention to be examined (37 CO) Other fee (specify) | CFR § 1.129(b)) | | | | | |
| SUBTOTAL (2) | (\$) | | | | | |

| SUBMITTED BY | | | | | olete (if applicable) |
|-------------------|------------------------|--------------------------------------|--------|-----------|-----------------------|
| Name (Print/Type) | William Thomas Babbitt | Registration No. (Attorney/Agent) | 39,591 | Telephone | (310) 207-3800 |
| Signature | William Ballet | | | Date | 6/28/06 |

Docket No.: 7623P003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

e the Application of:

YUSUKE SAKAI, ET AL.

Application No.: 10/573,191

Filed: March 21, 2006

For: Pharmaceutical Composition Containing

Prostaglandin

Art Group: Not yet assigned

Examiner: Not yet assigned

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). This IDS and IDS Citation Form are being submitted within three (3) months of the date of entry of the national stage in an international application. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

-1-

The references were cited in a Search Report dated January 25, 2005 (copy enclosed herewith) in a counterpart PCT application.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

-2-

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

William Thomas Babbitt, Reg. No. 39,591

12400 Wilshire Boulevard, 7th Floor

Los Angeles, CA 90025 Telephone: (310) 207-3800

7623P003

JUL 0 9 100° W

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

3

Sheet 1 of

| | | Complete if Known | |
|---|------------------------|-------------------|--|
| | Application Number | 10/573,191 | |
| | Filing Date | March 21, 2006 | |
| | First Named Inventor | Yusuke SAKAI | |
| | Art Unit | Not yet assigned | |
| _ | Examiner Name | Not yet assigned | |
| | Attorney Docket Number | 7623P003 | |

| | U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|-----------------------|--|---|-----------------------------|---|--|--|
| | | Document Number | Publication Date | Name of Patentee or | Pages, Columns, Lines, Where | | |
| Examiner Initials* | Cite No.1 | Number - Kind Code ² (if known) | Publication Date or Issue Date MM-DD-YYYY | Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |
| | | US- | | | | | |

| | FOREIGN PATENT DOCUMENTS | | | | | | |
|----------|--------------------------|---|--------------------------------|--|---|----------|--|
| Examiner | Cite | Foreign Patent Document | | | Pages, Columns, Lines, | 76 | |
| | No.1 | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | ١٧ | |
| | | JP-01-221317 | 09-04-1989 | Ueno Seiyaku Oyo Kenkyujo | | | |
| | | JP-07-010833 | 01-13-1995 | Mizushima Yutaka et al. | | L | |
| | | JP-11-500122 | 01-06-1999 | Alcon Laboratories, Inc. | | | |
| | | JP-2001-010958 | 01-16-2001 | Taiyo Yakuhin Kogyo KK | | | |
| | | JP-2002-161037 | 06-04-2002 | Santen Pharma Co. Ltd et al. | | | |
| | | JP-03-501025 | 03-07-1991 | Pharmacia AB | | _ | |
| | | JP-02-000108 | 01-05-1990 | Ueno Seiyako Oyo Kenskyujo | | <u> </u> | |
| | | JP-08-501130 | 02-13-1996 | Allergan, Inc. | | | |
| | | JP-10-182465 | 07-07-1998 | Arukon Laboratories Inc. | | | |
| | | JP-53-121920 | 10-24-1978 | Boehringer Mannhein GmbH | | 1 | |

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |
| _ | • | |

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (08-03) as modified by Blakely, Solokoff, Teylor & Zafman (wlr) 08/11/2003.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

| Sheet | 2 | of | 3 |
|-------|---|----|---|
|-------|---|----|---|

| | Complete if Known |
|------------------------|-------------------|
| Application Number | 10/573,191 |
| Filing Date | March 21, 2006 |
| First Named Inventor | Yusuke SAKAI |
| Art Unit | Not yet assigned |
| Examiner Name | Not yet assigned |
| Attorney Docket Number | 7623P003 |

| | | | U.S. PATENT | DOCUMENTS | | |
|-----------------------|--------------|--|--------------------------------|---|---|--|
| Document Number | | | | Pages, Columns, Lines, Where | | |
| Examiner Initials* | Cite No.¹ | Number - Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | |
| 1 | | US- | | | | |
| | | US- | | | | |
| - | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | ·US- | | | | |
| | | US- | | | | |
| | | US- | | 1000 | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |
| | | US- | | | | |

| | FOREIGN PATENT DOCUMENTS | | | | | | |
|----------------|---|--------------------------------|--|---|------------------------|-----------|--|
| Examiner Cite | | Foreign Patent Document | | | Pages, Columns, Lines. | 76 | |
| Initials* No.1 | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | ١٠ | | |
| | | JP-60-051105 | 03-22-1985 | The Green Cross Corp. | | | |
| | | WO-1996/040051 | 12-19-1996 | Insite Vision Incorporated | | | |
| | | , | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | _ | | | | |
| | | | | | | | |
| | | | | | | <u>L_</u> | |
| | | | | | | | |
| | | | | | | | |

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

| Substitute for form 1449A/PTO | | | | Complete if Known | |
|--|---|----|-------|------------------------|------------------|
| | | | CLIDE | Application Number | 10/573,191 |
| INFORMATION DISCLOSURE | | | | Filing Date | March 21, 2006 |
| STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | First Named Inventor | Yusuke SAKAI |
| | | | | Art Unit | Not yet assigned |
| (ase as many should be necessary) | | | | Examiner Name | Not yet assigned |
| Sheet | 3 | of | 3 | Attorney Docket Number | 7623P003 |

| NON PATENT LITERATURE DOCUMENTS | | | | | | |
|---------------------------------|--------------|---|--|--|--|--|
| Examiner Initials* | Cite No.1 | | | | | |
| | | Okano, S. "Shin. Yakuzaigaku Soron", Introduction to Modern Pharmaceutics, Nankodo Co., Ltd., 10 April 1987, page 262 and English-language translation thereof. | | | | |
| | | Copy of PCT International Search Report for PCT/JP2004/015828, mailed 25 January 2005 (2 pages). | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner | Dat | te |
|-----------|-----|----------|
| Signature | Col | nsidered |

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

¹Applicant's unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.